



WALGETT SHIRE COUNCIL

MINUTES

2 September 2008

*CAROLE MEDCALF
Acting General Manager*

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Reserve Trust Management Committee Reports - NIL

Mayoral Minutes - Nil

Motions of which Notice has been given - Nil

Presentation of Petitions - Nil

Councillor's Questions with Notice - Nil

Reports of Delegates and Representatives

179/08	Camps on Claims Working Group Meeting
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RESOLUTION:

It was resolved on the motion of the Administrator that Walgett Shire Council note the report provided by the Director Planning and Regulatory Services, Matthew Goodwin, on his attendance as Walgett Shire Council's delegate at the Camps on Claims Working Group meeting held on 13 August 2008

CARRIED

180/08	Lightning Ridge Mining Board Meeting
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RESOLUTION:

It was resolved on the motion of the Administrator that Walgett Shire Council note the report provided by the Director Planning and Regulatory Services, Matthew Goodwin, on his attendance as Walgett Shire Council's delegate at the Lightning Ridge Mining Board meeting held on 14 August 2008

CARRIED

Reports of Officers

181/08	Policy in Respect of Payment of Expenses and Provision of Facilities for Councillors
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RESOLUTION:

It was resolved on the motion of the Administrator that:

1. The attached Policy, "Payment of Expenses and provision of Facilities for Councillors", be adopted
2. The policy be submitted to the Director General of the Department of Local Government prior to the 30th of September 2008

CARRIED

SHIRE OF WALGETT – MINUTES

182/08	Collarenebri Precinct Committee Minutes
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RESOLUTION:

It was resolved on the motion of the Administrator that Walgett Shire Council note and receive the Collarenebri Precinct Committee meeting minutes held on 2 July 2008.

CARRIED

183/08	Investment Report as at 31 August 2008
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RESOLUTION:

It was resolved on the motion of the Administrator that the investment report as at 31 August 2008 be received.

CARRIED

184/08	Lehman Brothers Investment Report
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RESOLUTION:

It was resolved on the motion of the Administrator that Walgett Shire Council continues monitoring the investments with Lehman Brothers and includes the revised Ministerial Investment Order in its investments procedures.

CARRIED

185/08	Quartley Budget Review as at 30 June 2008
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RESOLUTION:

It was resolved on the motion of the Administrator that Walgett Shire Council note the quarterly budget review for the year ending 30 June 2008 and adopt the changes attached.

CARRIED

SHIRE OF WALGETT – MINUTES

186/08	Annual Financial Statements 2007/2008
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RESOLUTION:

It was resolved on the motion of the Administrator that:

1. The Annual Financial Reports for 2007/2008 be referred to Council's Auditor.
2. The Administrator, General Manager and Director Corporate and Community Services be authorised to sign the necessary Financial Statements.
3. On receipt of the Audited Report, a copy be forwarded to the Department of Local Government and the Australian Bureau of Statistics.
4. Council set Council Meeting of 18 November 2008 as the meeting date for the formal presentation of the audited Annual Financial Reports.
5. Public notice is given of the meeting date for formal presentation of the audited Annual Financial Reports for 2007/2008.

CARRIED

187/08	Section 713 Auction 2009
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RESOLUTION:

It was resolved on the motion of the Administrator that:

1. The land detailed in the following document be submitted for sale at public auction on Friday 16th January 2009 at 10am at the Council Chambers, 77 Fox Street Walgett 2832.
2. Each person ascertained as having an interest in the land be notified of the Councils intention to sell the land under Section 713 of the Local Government Act, 1993
3. The auction sale be conducted by a licensed auctioneer and should the lots be unsold at the auction that they be listed for sale by private treaty.
4. The reserve price for the lots be determined by the current land value as set by the Valuer General.
5. Council authorises the execution of contracts and transfer documents under its Common Seal.

CARRIED

188/08	Community Assistance Scheme Donations – 2007/2008
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RESOLUTION:

It was resolved on the motion of the Administrator that Walgett Shire Council applies funds for financial assistance under section 356 of the Local Government Act 1993 for 2008/2009 as follows:-

SHIRE OF WALGETT MINUTES

ORGANISATION	DETAILS OF PROJECT/ACTIVITY	COST OF PROJECT/ACTIVITY	AMOUNT SOUGHT	CATEGORY AND AMOUNT RECOMMENDED
Carinda P&C Association MacNamara Street Carinda 2831 Contact: Loretta Robinson	Purchase of high jump mats for students to train & compete in carnivals	\$2,558.00	\$500.00	Category A \$500.00
Rowena Community Oval Ibon Street ROWENA 2387 Contact: Anna Sevil	Half share in insurance premium for use of Rowena Oval	1,182.61	\$500.00	Category C \$300.00
Rowena Progress Association Shaw Street ROWENA 2387 Contact: Anna Sevil	Half share in insurance premium for use of Rowena Oval	\$1,182.61	\$500.00	Category C \$300.00
Lightning Ridge Improvement & Beautification Committee PO Box 781 LIGHTNING RIDGE 2834 Contact: Karin Thurston	Concrete of entrance and pathway to allow wheel chair access to Nginyaningu gardens (Bush tucker garden)	\$2,400.00	\$1,000.00	Category B \$500.00
Walgett Pre-School & Long Day Care Centre Incorporated PO Box 97 WALGETT 2832 Contact: Rachel Noffke	To visit and source University Graduates to make them aware of the need for teachers at centres in country areas. To let them know of the advantages of living and working in remote rural centres	\$2,000.00	\$1,000.00	Category C \$1,000.00

SHIRE OF WALGETT MINUTES

ORGANISATION	DETAILS OF PROJECT/ACTIVITY	COST OF PROJECT/ACTIVITY	AMOUNT SOUGHT	CATEGORY AND AMOUNT RECOMMENDED
Lightning Ridge Historical Society Trust PO Box 1 LIGHTNING RIDGE 2834 Contact: Len Cram	The Society are doing a reprint of the 1936 Spectator' items-30 Years at Lightning Ridge	\$1,056.00	\$300.00	Category C \$150.00
Lightning Ridge Race Club PO Box 1102 LIGHTNING RIDGE 2834 Contact: Denise O'Brien	Purchase and install a public address system at the Lightning Ridge racecourse	\$2,500.00	\$1,000.00	Category A \$500.00
Walgett Tourist Association PO Box 560 WALGETT 2832 Contact: Daniel Gale	Assist in the organising and production of Co-Opera in Walgett'	Not stated	\$500.00	Category B \$500.00
Yawarra Meamei Women's Group 1/28 Morilla Street LIGHTNING RIDGE 2834 Contact: Joan Treweeke	Lightning Ridge Neighbourhood Centre provides computers/internet services to the community. They need to install adobe photo shop to increase the service required	\$3,000.00	\$1,000.00	Category C \$1,000.00
Walgett and District Pony Club PO Box 107 WALGETT 2832 Contact: Sally Duncan	To pay for the daily fees of the Walgett Race Course/Showground charged by Council to conduct its annual pony camp	\$1,128.80 (\$34,800.00 to conduct Camp for 1 week for up to 130 children. Done by volunteers)	\$1,000.00	Category A \$500.00

SHIRE OF WALGETT MINUTES

ORGANISATION	DETAILS OF PROJECT/ACTIVITY	COST OF PROJECT/ACTIVITY	AMOUNT SOUGHT	CATEGORY AND AMOUNT RECOMMENDED
Lightning Ridge Arts and Crafts Council Incorporated PO Box 448 LIGHTNING RIDGE 2834 Contact: Marie Wilde	Lightning Ridge Arts and crafts Council Annual Spring Exhibition/Competition- Celebrating the Arts and Crafts works by the artists in the community Shire wide	\$6,000.00	\$800.00	Category B \$500.00
Lightning Ridge Gymnastics Club Incorporated PO Box 1291 LIGHTNING RIDGE 2834 Contact: Edna Davidson	The Gymnastics Club needs to recover their safety mats, which are over 10 years old.	\$880.00	\$500.00	Category A \$500.00
BAC Rugby League Walgett Incorporated PO Box 2018 COFFS HARBOUR 2450 Contact: Mark DeWeerd	Participation of a team of young men representing the Walgett Community in an Aboriginal Rugby League Carnival	\$15,000.00	\$2,000.00	Category A \$500.00
St Joseph's Catholic School PO Box 505 WALGETT 2832 Contact: Chris Star	Students have been selected to participate in singing workshops. Children living in remote areas would not normally get this opportunity to attend these workshops	\$4,000.00	\$500.00	Category B \$500.00

SHIRE OF WALGETT MINUTES

ORGANISATION	DETAILS OF PROJECT/ACTIVITY	COST OF PROJECT/ACTIVITY	AMOUNT SOUGHT	CATEGORY AND AMOUNT RECOMMENDED
Walgett Jockey Club PO Box 154 WALGETT 2832 Contact: Chris Clemson	To assist with costs of holding annual race meeting in Walgett, specifically the cost of Ambulance service	\$1,054.56	\$1,054.56	Category A \$500.00
The Grawin Opal Miners Sports & Recreation Club Grawin Via WALGETT 2832 Contact: Angela McGeough	The community of Grawin are looking at developing the 'Grawin Outback Arts Festival' and need to purchase paints and canvas for a two day training course	\$875.00	\$500.00	Category B \$500.00
The Grawin Opal Miners Sports & Recreation Club Grawin Via WALGETT 2832 Contact: Angela McGeough	Plumbing of community water tank from roof of Grawin Club to lessen need for drought assistance	\$2,200.00	\$1,000.00	Category C \$1,000.00
			TOTAL	\$9250.00

CARRIED

189/08	Walgett Shire Youth Council Constitution
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RESOLUTION:

It was resolved on the motion of the Administrator that Walgett Shire Council acknowledges and endorses the Walgett Shire Youth Council Constitution document which is in accordance with Council's Code of Conduct, mission and objectives.

CARRIED

190/08	Community Garden
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RESOLUTION:

It was resolved on the motion of the Administrator that Walgett Shire Council support the establishment of a community garden on part of Lot 11 DP 851116 vacant land (operational) near the police housing in Howards Way.

CARRIED

191/08	Childcare in Walgett Shire
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RESOLUTION:

It was resolved on the motion of the Administrator that Walgett Shire Council

1. Support the need for Childcare Services in the Shire by initialling providing subsidised accommodation for qualified staff who move to Walgett to take up a position in childcare services.
2. Continue to work with the Department of Community Services to ensure that access to childcare services across the Shire is improved.

CARRIED

192/08	Rural Addressing Road Name Amendments
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RESOLUTION:

It was resolved on the motion of the Administrator that Walgett Shire Council:

1. Note the submissions received during the second round of public consultation regarding proposed rural road name changes associated with the Walgett Shire rural addressing project.
2. Endorse and adopt the 109 unique road names shown in Attachment 1 - Proposed Road Names and Attachment 2 - Road Locations.
3. Submit the names to the Geographical Names Board of NSW and request that they be gazetted as formal road names.
4. Proceed to implement signage and rural address numbering throughout Walgett Shire, in compliance with the Australian Standard AS/NZ 4819:2003 Geographic Information - Rural and urban addressing.
5. Write to Kevin Searle and Francine Mateer regarding their repeated submissions that the Llanillo Road be renamed the May Searle Way indicating that Council:
 - (a) Notes their submissions
 - (b) Suggests that they consider putting forward a proposal for the naming of a Council controlled facility or park at an appropriate time in the future

CARRIED

193/08	Western Lands Lease Application 15057
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RESOLUTION:

It was resolved on the motion of the Administrator that Walgett Shire Council will:

1. Write to the Department of Lands and state that:
 - (a) It does not object to the revised proposal to grant a 2,790 square metre Western Lands Lease for residential purposes to John Joseph Molyneux over part of the area currently held under Mining Purposes Lease 107 at Lightning Ridge.
 - (b) This variation from Council policy is based on the Lightning Ridge Mining Board's acceptance on 22 May 2008 of the Department of Lands recommendations that an area 2,790 square metres would be suitable in this case. Also that the variation from the 2,500 square metre standard is relatively minor.

CARRIED

194/08	DA2008016 – Shed and Mechanics Workshop
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RESOLUTION:

It was resolved on the motion of the Administrator that

1. Development Application 2008016 for a shed be approved subject to the following conditions of development consent.
2. The use of the shed for commercial mechanical repairs not be approved.

CONDITIONS OF CONSENT

PRESCRIBED CONDITIONS

The Environmental Planning and Assessment Regulation 2000 prescribes the following conditions of development consent.

98. Compliance with Building Code of Australia and insurance requirements under the Home Building Act 1989

(1) For the purposes of section 80A (11) of the Act, the following conditions are prescribed in relation to a development consent for development that involves any building work:

- (a) that the work must be carried out in accordance with the requirements of the Building Code of Australia,
- (b) ~~in the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.~~

(2) This clause does not apply:

- (a) to the extent to which an exemption is in force under clause 187 or 188, subject to the terms of any condition or requirement referred to in clause 187 (6) or 188 (4), or
- (b) to the erection of a temporary building.

(3) In this clause, a reference to the *Building Code of Australia* is a reference to that Code as in force on the date the application for the relevant construction certificate is made.

98A. Erection of signs

(1) For the purposes of section 80A (11) of the Act, the requirements of subclauses (2) and (3) are prescribed as conditions of a development consent for development that involves any building work, subdivision work or demolition work.

(2) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

- (a) showing the name, address and telephone number of the principal certifying authority for the work, and
- (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- (c) stating that unauthorised entry to the work site is prohibited.

(3) Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

(4) This clause does not apply in relation to building work, subdivision work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.

(5) This clause does not apply in relation to Crown building work that is certified, in accordance with section 116G of the Act, to comply with the technical provisions of the State's building laws.

Weekends & Public Holidays 8.00 a.m. to 7.00 p.m.

Reason: To ensure that public amenity is not unduly affected by noise.

Con 020.

All works are to be executed in a good and workmanlike manner and all materials are to be installed as per manufacturers' instructions and any applicable Australian Standards.

Reason: To ensure that the building work is completed in accordance with the approval and is in a safe and healthy condition for use by occupants.

Con 040.

All construction materials, sheds, skip bins, spoil, temporary water closets etc, shall be kept wholly within the property and not placed on public land or in a position that may result in materials/debris being washed onto the roadway or into the stormwater drainage system.

Reason: To preserve the amenity of the locality and protect stormwater systems.

Con 070.

All footings and/or slabs shall be constructed as per engineer's details.

Reason: To ensure compliance with the Building Code of Australia.

Con 090.

All steel framing shall comply with Part B1 of the Building Code of Australia and associated standards.

Reason: To ensure compliance with the Building Code of Australia.

Con 120.

All glass installation shall comply with the requirements of Australian Standard 1288 and 2047 as applicable. The installer shall provide certification that the glazing complies with the requirements of AS 1288 and AS 2047 immediately following installation.

Reason: To ensure compliance with the Building Code of Australia.

Con 140.

All external lighting is to be positioned and directed so as to prevent the intrusion of light to the adjoining premises.

Reason: To prevent the intrusion of light onto adjoining premises.

Con 210.

All electrical work must be carried out by a licensed electrician in accordance with Australian Standard 3000 – SAA Wiring Rules and Australian Standard 3002.

Reason: To ensure compliance with Australian Standards.

WATER, SEWER, AND STORMWATER

Plu 010.

Before any plumbing, stormwater or sewer drainage works are commenced an Activity Application and Annexure accompanied by a diagram of proposed works and the appropriate fees is to be submitted and approval granted in accordance with the requirements of Section 68 of the Local Government Act 1993.

Reason: To ensure compliance with the Local Government Act 1993, Council's On Site Sewage Management Guidelines, Australian Standard 3500.1-4 and the Plumbing and Drainage Code of Practice.

Plu 070.

All plumbing and drainage works are to be carried out by licensed tradesmen.

Reason: To ensure compliance with AS 3500-2003.

Plu 080.

All plumbing and drainage works are to be completed in accordance with Australian Standards 3500.1-4 and the Plumbing and Drainage Code of Practice.

Reason: To ensure that plumbing and drainage works are completed in a professional manner.

Plu 140.

Roof water is to be disposed of:

- (a) By piping to the street gutter.

Reason: To alleviate any potential stormwater problems with respect to the buildings on the allotment or adjoining allotments.

ENVIRONMENTAL MANAGEMENT

Env 020.

The land surrounding any structure must be graded to divert surface water clear of existing and proposed structures and neighbouring properties.

Reason: To ensure compliance with the Environmental Planning and Assessment Act 1979.

Env 040.

No increase or interference with the amenity of the area is to be created by reason of any process or operation on the premises causing the emission of noise, dust, smoke or any other pollution discharge.

Reason: To prevent pollution from detrimentally affecting the public or environment.

Env 055

Vegetation to be planted and maintained at front boundary to Pandora Street and on eastern side of the new shed.

Reason: To reduce potential visual impacts on the streetscape.

INSPECTIONS

The applicant is to advise Council of the name and address of the body nominated to act as the Principal Certifying Authority, on the "Notice of Commencement Form" forty eight (48) hours prior to work commencing.

Inspections at the completion of stages as indicated below are required to be carried out by the Principal Certifying Authority. **Work must not proceed past any inspection stage until approval is given by the Certifier.**

Critical Stage Inspections

- At the commencement of the building work, and
- After excavation for, and prior to the placement of, any footings, and
- Prior to pouring any in-situ reinforced concrete building element, and

- Prior to covering any stormwater drainage connections, and
- After the building work has been completed and prior to any occupation certificate being issued in relation to the building.

Reason: Occupation Certificates cannot be issued if the Principal Certifying Authority does not carry out the designated inspections, and to ensure compliance with the approved plans.

FIRE SAFETY

Fir 010.

The shed is to be fitted with an outward opening Personnel Access door fitted with a latch which permits egress from inside at all times without a key using a single downward movement.

Reason: To ensure compliance with the Building Code of Australia.

NOTE: OPAL MINING DISTURBANCE

Opal mining and prospecting operations may have been previously carried out on, or below, the land, which is the subject of this consent, or on adjoining lands. The developer should make their own enquiries to determine whether the land being developed might be adversely affected by such activities, prior to proceeding with the development.

Reason: There are no official records of the extent of opal mining workings within the Lightning Ridge area. It is in the interest of the developer to ensure that there is no evidence that the land is detrimentally affected by mining activity.

NOTE: COVENANTS

It is possible that a covenant may affect the land, which is subject to this consent. The granting of this consent does not necessarily override any covenant. You should seek legal advice regarding the effect of any covenants that may affect the land.

Reason: To avoid breaching the requirements of any covenant.

END

CARRIED

195/08	Development and Complying Development Certificate Applications
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RESOLUTION:

It was resolved on the motion of the Administrator that Walgett Shire Council note the Development and Complying Development Certificate applications dealt with under delegated authority by the Director Planning and Regulatory Services and General Manager during July 2008.

CARRIED

196/08	Draft Walgett Local Environmental Plan 2008
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RESOLUTION:

It was resolved on the motion of the Administrator that Walgett Shire Council

1. Note and endorse the letter sent to the Central West Region office of the Department of Planning in Dubbo by the Acting General Manager, dated 8 August 2008, which:
 - a. Submitted, and requested the Department endorse, the July 2008 version of the Walgett Shire Growth Management Study and Strategy.
 - b. Submitted a draft Walgett Local Environmental Plan 2008 and draft zoning maps.
 - c. Requested that the Department issue a section 65 certificate under the Environmental Planning and Assessment Act 1979 to enable public exhibition of the draft Walgett Local Environmental Plan 2008.

CARRIED

197/08	Heritage Advisor Appointment Review
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RESOLUTION:

It is resolved on the motion of the Administrator that Walgett Shire Council:

1. Offer appointment as Walgett Shire Council's Heritage Advisor from 5 September 2008 to High Ground Consulting (Ray Christison), in accordance with the guideline titled "How to Establish a Heritage Advisor Service" published by the Department of Planning in June 2007.
2. If the initial offer of appointment is declined, then subsequently make an offer to Heritage Management Services (Steven Ring).

CARRIED

198/08	Disclosure of Pecuniary Interest in Written Returns
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The Acting General Manager, Carole Medcalf tabled pecuniary interest returns pursuant to Section 449 (1) of the Local Government Act 1993 for the following staff members: Alana Douglas, Siegfredo Coralde, Glen Molloy, Trevor Campbell, Myrene Lovegrove, Mark Ward and Greg Leerson,

CARRIED

199/08	Closed Council Meeting
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RESOLUTION:

It was resolved on the motion of the Administrator that the public be excluded from the meeting pursuant to Section 10A (2) (a) and (c) of the Local Government Act 1993 on the basis that the items deal with matters that are:

- (a) personnel matters concerning particular individuals (other than councillors),
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,

CARRIED

The following resolutions were brought forward from the Closed Council Meeting:-

202/08	Tender T030809OROC – Panel Tender Supply & Delivery of Bitumen Spray Sealing
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In accordance with Section 10A (2)(c) of the Local Government Act 1993, this matter was considered in a closed meeting.

RESOLUTION:

It was resolved on the motion of the Administrator that Walgett Shire Council empanel the following tenderers for the Regional Procurement Tender T030809OROC – Panel Tender Supply & Delivery of Bitumen Spray Sealing:

- 1) SRS Roads Pty Ltd (Revised Schedule); and
- 2) Pioneer Road Services Pty Ltd

For the period 1 October 2008 to 30 September 2010 with an option to extend to 30 September 2011

CARRIED

203/08	Appointment of “Conduct Reviewers” Pursuant to Council’s Code of Conduct
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In accordance with Section 10A (2)(a) of the Local Government Act 1993, this matter was considered in a closed meeting

RESOLUTION:

It was resolved on the motion of the Administrator that:

- 1) Council’s Solicitors be thanked for their nomination and their preparedness to be involved
- 2) All persons who lodged an Expression of Interest be appointed as Conduct Reviewers for a term of 12 months, if they formally accept offers of appointment
- 3) A public announcement of appointments be made once offers have been accepted
- 4) The General Manager arrange for appropriate briefing and training for the Conduct Reviewers

CARRIED

Reports of Committees

Questions without Notice from Councillors

Confidential Reports/Closed Council Meeting

Close of Meeting

The meeting closed at 12:27pm

Confirmed on 4 September 2008

Administrator

Acting General Manager

Date: _____

Date: _____